



RCE
01/06/05

Atty. Dkt. No. 054726-0115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hubert F. Metzger
Title: ELECTROPLATING APPARATUS USING A NON-DISSOLVABLE ANODE AND ULTRASONIC ENERGY
Appl. No.: 09/992,205
Appl. Filing Date: 11/06/2001
Examiner: Donald R. Valentine
Art Unit: 1742

| | |
|--|-----------------------------|
| CERTIFICATE OF EXPRESS MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| EV 459170385 US (Express Mail Label Number) | 1/4/05 (Date of Deposit) |
| Carolyn Simpson (Printed Name) | |
| <i>Carolyn Simpson</i> (Signature) | |

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

[] Please enter and consider the amendment/reply previously filed on ____.

[] Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.

[] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on __.

[X] Other IDS filed on Nov. 17, 2004.

b. Enclosed are:

[X] Amendment/Reply.

[] Affidavit(s)/Declaration(s).

[] Information Disclosure Statement.

[] Form PTO-1449 with copies of __ listed reference(s).

[] Other .

Miscellaneous:

[] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|-------------------|-------------|
| RCE Fee 1.17(e): | | | | \$790.00 | = \$790.00 |
| Total Claims: | 83 | - | 81 = 2 | x \$50.00 | = \$100.00 |
| Independents | 9 | - | 7 = 2 | x \$200.00 | = \$400.00 |
| First presentation of any Multiple Dependent Claims: | | | + \$360.00 | | = \$0.00 |
| | | | | CLAIMS FEE TOTAL: | = \$1290.00 |

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | | |
|-------------------------------------|---|------------|---|-----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$120.00 | 0 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$450.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$1,020.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,590.00 | | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,160.00 | | \$0.00 |
| | EXTENSION FEE SUBTOTAL: | | | \$0.00 |
| | EXTENSION FEE ALREADY PAID: | - | | \$0.00 |
| | EXTENSION FEE TOTAL | | | \$0.00 |
| | CLAIMS AND EXTENSION FEE TOTAL: | | | \$1290.00 |
| <input checked="" type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | | \$645.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | | \$0.00 |
| | TOTAL FEE: | | | \$645.00 |
| | PREVIOUSLY PAID (on Nov. 17): | | | \$395.00 |
| | AMOUNT OWED: | | | \$250.00 |

[X] A check in the amount of \$250.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 4, 2005

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5839
Facsimile: (414) 297-4900

Marcus A. Burch
Attorney for Applicant
Registration No. 52,673



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EV 459170385 US 1/4/05
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Carolyn Simpson
(Printed Name)


(Signature)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is being filed in conjunction with an RCE filed after allowance.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 18 of this document.

Please amend the application as follows:

01/07/2005 MAHMED1 00000046 09992205

01 FC:2201
02 FC:2202

200.00 DP
50.00 DP